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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 HOPLAND BAND OF POMO INDIANS,) Case No. 3:12CV556-CRB
22 et al.,) Hon. Charles R. Breyer
23 Plaintiffs,) Courtroom: N/A
24 v.) Hearing: N/A
25 KEN SALAZAR, Secretary of the Interior,) STIPULATION AND PROPOSED ORDER
26 et al.,) TO INCREASE PAGE LIMITS
27 Defendants.) ASSOCIATED WITH DEFENDANTS'
28) ANTICIPATED MOTION TO DISMISS

Pursuant to Civil L.R. 7-4(b) and 7-12, and for good cause shown, the parties stipulate and request that this Court increase the page limits on motions set by ¶ 5 of its Standing Orders. See ECF No. 13-2. In support of this stipulation, the parties state as follows:

1. Plaintiffs' complaint raises separate allegations about five federally-recognized Indian tribes. See Compl., ECF No. 1, ¶¶ 24-52. Additionally, plaintiffs' complaint brings nine separate causes of action against defendants, arising under the: (i) Indian Self-

1 Determination and Education Assistance Act (“ISDA”), 25 U.S.C. §§ 450 *et*
2 *seq.*; (ii) Administrative Procedures Act (“APA”), 5 U.S.C. §§ 553 & 702; (iii) equal
3 protection component of the Fifth Amendment; and (iv) Indian Trust doctrine. *See*
4 Compl. ¶¶ 55-113.

5 2. Pursuant to a stipulation with proposed order, defendants’ response to plaintiffs’
6 complaint is due May 23, 2012. *See* ECF No. 14. In addition to filing an answer to
7 some of plaintiffs’ complaint, defendants anticipate moving to dismiss some plaintiffs
8 and to dismiss several causes of action of the remaining plaintiffs.

9 3. This Court’s Standing Orders limits non-summary judgment motions to 15 pages in
10 length, exclusive of title pages, indexes of cases, table of contents, exhibits, affidavits,
11 and summaries of argument, if required. *See* ECF No. 13-2, ¶ 5. The Civil Local
12 Rules limit briefs or memoranda of points and authorities to no more than 25 pages in
13 length but allow parties to request the Court to increase the page limits. *See* Civil L.R.
14 7-4(b).

15 4. In light of the factual and legal complexity of each of the five plaintiff’s allegations
16 and their nine causes of action, and in order to give the parties the ability to
17 adequately support each of their arguments in support of (or in opposition to)
18 defendants’ anticipated motion to dismiss, the parties respectfully request that this
19 Court allow defendants to file a memorandum in support of their motion and
20 plaintiffs to file a memorandum in support of their opposition up to 25 page in length,
21 exclusive of title pages, indexes of cases, table of contents, exhibits, affidavits, and
22 summaries of argument. *See* Civil L.R. 7-4(b). The parties believe that this increase
23 will promote judicial economy.

24 Accordingly, for good cause shown, this Court should grant the parties’ request to file
25 memoranda associated with defendants’ anticipated motion to dismiss of up to 25 pages in
26 length, exclusive of title pages, indexes of cases, table of contents, exhibits, affidavits, and
27 summaries of argument, if required.

Respectfully Submitted,

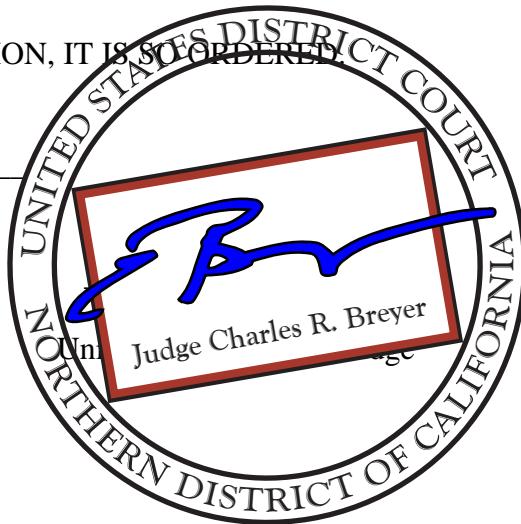
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7 JAMES D. TODD, JR.
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9 U.S. DEPARTMENT OF JUSTICE
10 Attorney for Defendants

11 Dated: May 14, 2012

12 PURSUANT TO STIPULATION, IT IS SO ORDERED:

13 Dated: 5/21/2012



CERTIFICATE OF SERVICE

I, James D. Todd, Jr., hereby certify that a copy of the foregoing document was this date served upon all counsel of record by electronically filing the foregoing with the Clerk of the U.S. District Court for the Northern District of California, using its ECF system, which automatically provides electronic notification to the following:

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